

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

Case No. 2:23-cv-00103-JRG-RSP

JURY TRIAL DEMANDED

**DECLARATION OF MARC FENSTER IN SUPPORT OF PLAINTIFF HEADWATER
RESEARCH LLC'S REPLY IN SUPPORT OF ITS MOTION FOR SUMMARY
JUDGMENT OF NO INVALIDITY BASED ON THE MOTOROLA E815**

1. I, Marc Fenster, declare as follows:
2. I am counsel for Headwater Research LLC (“Headwater”) in the above-captioned action. I provide this declaration in support of Headwater’s Reply In Support of Its Motion for Summary Judgment of No Invalidity Based on the Motorola E815. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.
3. Attached as Exhibit 1 is a true and correct copy of excerpts from the Rebuttal Expert Report of Erik de la Iglesia, dated October 14, 2024.
4. Attached as Exhibit 2 is a true and correct copy of Samsung’s Petition for Inter Partes Review of U.S. Patent No. 8,406,733 in IPR2024-00341, Paper 4, dated January 23, 2024.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 12, 2024 at Los Angeles, California

By: /s/ Marc Fenster
Marc Fenster

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2024, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via email.

/s/ Marc Fenster

Marc Fenster